



DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

[A-533-813]

Certain Preserved Mushrooms from India: Notice of Partial Rescission of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce

FOR FURTHER INFORMATION CONTACT: Katherine Johnson or Terre Keaton

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SUPPLEMENTARY INFORMATION:

Background

On February 1, 2012, the Department of Commerce (the Department) published in the Federal Register a notice of “Opportunity to Request Administrative Review” of the antidumping duty order on certain preserved mushrooms from India for the period of review (POR) of February 1, 2011, through January 31, 2012.¹

On February 29, 2012, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), the Department received a timely request from Monterey Mushrooms, Inc. (the petitioner), a petitioner and a domestic interested party, to conduct an administrative review of the sales of Agro Dutch Foods Limited (Agro Dutch

¹ See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request

Industries Limited) (Agro Dutch), Himalya International Ltd. (Himalya), Hindustan Lever Ltd. (formerly Ponds India, Ltd.) (Hindustan), Transchem Ltd. (Transchem), and Weikfield Foods Pvt. Ltd (Weikfield). The petitioner was the only party to request this administrative review.

On March 30, 2012, the Department published in the Federal Register a notice of initiation of an administrative review of the antidumping duty order on certain preserved mushrooms from India with respect to the above-named companies.²

On May 10, 2012, the petitioner timely withdrew its request for a review of Himalya, Hindustan, Transchem and Weikfield.

Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of notice of initiation of the requested review. The petitioner withdrew its request for review before the 90-day deadline, and no other party requested an administrative review of the antidumping duty order on certain preserved mushrooms from India for the POR. Therefore, in response to the petitioner's withdrawal of its request for review of Himalya, Hindustan, Transchem and Weikfield and pursuant to 19 CFR 351.213(d)(1), we are rescinding this review with regard to these companies. The instant review will continue with respect to Agro Dutch.

Assessment

Administrative Review, 77 FR 4990 (February 1, 2012).

² See Initiation of Antidumping Duty Administrative Reviews, Request for Revocation in Part, and Deferral of

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of this notice in the Federal Register.

Notification to Importers

This notice serves as the only reminder to importers of their responsibility, under 19 CFR 351.402(f)(2), to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is published in accordance with section 751 of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

____ May 25, 2012 ____
(Date)

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